

March 3, 1977

LB 374

PRESIDENT: Since they are committee amendments, that matter probably should be voted on then.

SENATOR GEORGE: Mr. President, I would support Senator Cullan's motion to reject the committee amendments. We discovered a technical mistake...

PRESIDENT: That will be put to a vote then now. The question is...I'm going to put the question, shall the committee amendments be adopted so those of you who want to follow the leadership of the committee chairman and Senator Cullan would vote red. Record your vote. Record.

CLERK: 0 ayes, 20 nays.

PRESIDENT: The committee amendments are not adopted and fails. Senator Cullan.

CLERK: Read amendment, by Senator Cullan.

SENATOR CULLAN: Mr. Chairman and members of the Legislature. The intent of this bill is to restore local option to the operation of the Handi-Bus Program. In the past year the Attorney General's office issued an opinion interpreting the Nebraska Public Transportation Act of 1975. The Attorney General said due to the word "for hire" which was contained in the bill, this required that a fare structure be established and therefore as a result to that Attorney General's opinion, the Director of the Department of Roads sent a letter to all the groups which operate a Handi-Bus Program and suggested that they establish a fare system to conform with the Attorney General's opinion on the words "for hire". The letter from the Director also stated that a person needing transportation should not be denied the right to ride because of the inability to pay the fare. Additional safeguards should be included to insure that persons not be forced into a public display of their inability to pay the fare. The reason we brought this bill about is that's an impossible thing to institute. If you're going to require that a fare be paid, I don't know how you cannot publicly embarrass someone who doesn't pay the fare. Also, we want the intent of the Legislature to be preserved. I think the words "for hire" were there for other reasons and these programs have operated on a donation basis in some areas of the state for a long time. The amendment was necessary because of the words "for hire". Senator DeCamp pointed out that some insurance problems arose if the words "for hire" were stricken, if these words were reinstated. What the new amendment does will allow the local communities to continue to operate their Handi-Bus Program either with a fare or without a fare as they see fit. I would urge the adoption of the amendments.

PRESIDENT: Is there further discussion? The question is the adoption of Senator Cullan's amendments. Record your vote. Please vote. Record.

CLERK: 27 ayes, 0 nays.

PRESIDENT: The amendment is adopted. Senator Cullan.

SENATOR CULLAN: Mr. Chairman and members of the Legislature. I move that LB 374 as amended be advanced to E & R Initial.

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